

**Minutes of Meeting  
Grafton Planning Board  
September 27, 2010**

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GRAFTON, MA.

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A regular meeting of the Grafton Planning Board was held on Monday, September 27, 2010 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Bruce W. Spinney III, Vice-Chairman Robert Hassinger, Clerk Stephen Qualey, Heath Christensen and Associate Member James Walsh III. Absent was member David Robbins. Staff present was Town Planner, Stephen Bishop and Assistant Planner Ann Morgan.

Chairman Spinney called the meeting to order at 7:00 p.m.

**ACTION ITEM 1-A – APPROVAL NOT REQUIRED PLAN ANR 2010-9 – ROGER B. LELAND – 20 NELSON STREET**

Mr. Bishop reviewed the ANR plan with the Board, noted that the second lot has been suitably labeled “not a buildable lot”, and then recommended the Board approve the plan.

**MOTION** by Mr. Christensen, **SECOND** by Mr. Qualey, to endorse ANR 2010-9 and authorize the Town Planner to sign the plan on behalf of the Planning Board. **MOTION** carried unanimously 4 to 0.

**ACTION ITEM 1-B – REQUEST FOR PLANNING BOARD “DETERMINATION OF COMPLETENESS” – “HILL VIEW ESTATES” SUBDIVISION – AVALON WAY – NORMAND GAMACHE, GUERRIERE & HALNON, INC., PETITIONER**

Present for the meeting was Normand Gamache.

Mr. Bishop briefly reviewed the status of the Completeness request submitted at the last Planning Board meeting and noted that Mr. Gamache had requested a 2 week extension to complete a few small outstanding items which had been brought to his attention.

Mr. Gamache stated that all outstanding items have been addressed.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Christensen, to make a Determination of Completeness for “Hill View Estates II” Subdivision, subject to the satisfactory completions of the items/issues discussed, including any agreements made. **MOTION** carried unanimously 4 to 0.

**REQUEST FOR BOND REDUCTION & REQUIRED 1 YEAR STATUS REPORT (2 YEAR EXTENSION) – “BROOKMEADOW VILLAGE” SUBDIVISION – NORMAND GAMACHE, GUERRIERE & HALNON, INC., PETITIONER**

Normand Gamache reviewed the “Brookmeadow Village” subdivision for the newer Planning Board members stating they had installed some street lights, installed sloped granite curbing, completed the Taft Mill roadway, completed the wetland crossing, finished the open space trail system, conveyed remaining open space to the Grafton Land Trust and the Conservation

Commission, completed a maintenance work checklist, completed soccer and little league fields and conveyed the easement to the Town for perpetual use, and are moving into the next phase of Brookmeadow Lane & Klondike Road.

Mr. Bishop informed the Board that he had submitted his recommended bond reduction amounts based on the construction cost estimates provided by Graves Engineering. Mr. Bishop recommended Phase 1A be reduced from \$651,104.16 to \$483,010.80 and Phase 1B & 2 be reduced from \$875,869.20 to \$486,544.60, with both amounts reflecting the 20% contingency as required by the Subdivision Rules & Regulations.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Christensen, to reduce the bond amounts currently being held as security for Phase 1A to \$483,010.80 and for Phase 1B & 2 to \$486,544.60, based on correspondence from Graves Engineering, Inc. and the requirements of the Subdivision Rules & Regulations. **MOTION** carried unanimously 4 to 0.

**CONSIDER DECISION – SITE PLAN 2010-1 GRAFTON SCHOOL BUILDING COMMITTEE – 30 PROVIDENCE ROAD – NEW HIGH SCHOOL**

Mr. Bishop informed the Board that the draft decision accommodates the items addressed and open at the last Planning Board meeting. Mr. Bishop noted that Staff was able to address a number of outstanding items in the new draft decision including forwarded comments from several Board members. Mr. Bishop also stressed that there were a few comments that could not be easily incorporated into the decision and that he has referenced them in his memo to be discussed, reviewed and considered by the Board. Mr. Bishop added that there is still not a final closure memo from the Fire Department regarding their open issues.

Mr. Qualey stated that his comments on the parking and Condition #2 were meant to reflect a way of stating concerns without returning to square 1 of discussion and a way of possibly handling issues if the state denies a traffic signal.

Mr. Hassinger strongly expressed his disappointment of not being provided with alternate language for the Board to discuss concerning the recommendations and conditions to be incorporated into the decision as to the signalization at the Brigham Hill intersection. Mr. Hassinger insisted on the applicant being responsible for due diligence on securing a traffic signal light, return to the Planning Board with some proof of their efforts, and then requesting the Board consider a waiver request.

Mr. Christensen expressed concerns of the Planning Board being able to prevent the school project from moving forward, adding that they will have to make application to the State for the traffic signal and will have no further control over it. Mr. Christensen also noted that he was not in favor of point #3 of Mr. Bishop's memo regarding Condition #2 of the decision.

Mr. Hassinger remarked that he did not believe that what the Board has is adequate.

Mr. Bishop reminded the Board that there has been a recent court case stating that you cannot use one process to enforce another, specifically withholding Building Permits or Certificates of Occupancy, and noted that he will provide the Board with that court case information.

Mr. Hassinger pointed out that the Board does not have the required Fire Department information yet. Mr. Bishop stated that SMMA has a meeting scheduled with the Fire Department tomorrow.

Mr. Hassinger noted he thought the Board had set a 10-day timeline for submission of materials. There was some discussion as to whether the 10 day timeline was set for the submission of items to be placed on the agenda and not materials for the Board's consideration.

Mr. Bishop suggested that the Board can put a condition in the decision that the project would have to meet any requirements submitted by the Fire Department.

Chairman Spinney pointed out that the developer will have to meet the fire code on any work that is performed regardless of what is in the decision.

Chairman Spinney stated that the Board will wait for Mr. Robbins to return on October 4<sup>th</sup> allowing him to be part of the decision making process for this project.

### **MINUTES OF PREVIOUS MEETINGS**

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, to approve the open session minutes of September 13, 2010 as drafted. **MOTION** carried unanimously.

### **STAFF REPORT**

Mr. Bishop suggested the Board consider enrolling in some of the workshops offered by the Citizen Planner Training Collaborative, adding that the Planning Department will cover the course/registration costs.

Mr. Bishop informed the Board that Cortland Manor has submitted a Citizen's petition for road acceptance of the subdivision to the Board of Selectmen. Mr. Bishop pointed out that the subdivision has not yet completed a Determination of Completeness with the Planning Board and is therefore not eligible.

### **CORRESPONDENCE**

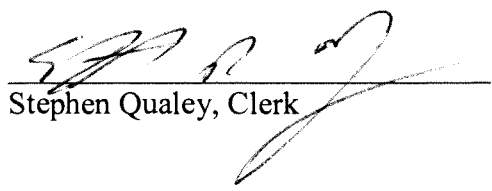
Mr. Hassinger stated that the Mayor of Worcester was the speaker at the CMRPC's quarterly meeting at which time a request was made for all the considerations regarding city work to be take care of. Mr. Hassinger noted the Mayor just spoken out against 40B filings and obviously was not listening to their recommendations.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Christensen, to adjourn the meeting. **MOTION** carried unanimously 4 to 0.

The meeting was adjourned at 7:50 p.m.

### **EXHIBITS**

- **Action Item 1B: Request for Planning Board Determination of Completeness – “Hill View Estates II” Subdivision – Avalon Way**
  - Correspondence from Graves Engineering, Construction Completeness Review, 3 pages, dated and received September 24, 2010.
- **Action Item 1C: Request for Bond Reductions & Required 1 year Statu Report (2 yr. Extension) – “Brookmeadow Village” Subdivision**
  - Correspondence from Graves Engineering, re: Brookmeadow Village – Phases 1A, 1B and 2 – Updated Engineer’s Construction Cost Estimate”, 11 pages, dated September 20, 2010.
  - Memorandum from Planning Department staff to Planning Board, “Request for Bond Reduction for Phases 1A, 1B and 2, Brookmeadow Village Subdivision, 1 page, dated September 21, 2010.
- **Action Item 1D: Consider Decision – Site Plan Approval 2010-1 – Town of Grafton– 30 Providence Road – New High School and Associated Parking**
  - Draft Planning Board Decision, second draft dated September 23, 2010, 17 pages.
  - Memorandum from the Grafton Fire Department to the Planning Board, “New High School Project”, 1 page, dated September 24, 2010.
  - Email correspondence from Joslin, Lesser & Associates, “Grafton High School drawing clarifications – pnum: 09022”; included a copy of email correspondence from Symmes, Maini & McKee Associates, Inc. to Deputy Fire Chief Mike Mills, 2 pages, dated September 24, 2010, received September 27, 2010.
- Discussion Item, Staff Report - Citizen’s Planner Training Collaborative Fall 2010 Course Schedule, 3 pages.
- Correspondence – Memorandum from the Town Planner to the Board of Selectmen and the Town Administrator, “Cortland Manor Subdivision Citizen’s Petition to Accept the Roadways”, 1 page, dated September 21, 2010.

  
Stephen Qualey, Clerk